

REMARKS

Applicants propose to amend claims 1, 19, 20, and 22. Claims 1-20 and 22-33 are pending in this application.

Applicants respectfully traverse the rejection of claims 1-4, 6-12, 14-28, and 30-33 under 35 U.S.C. § 103(a) as unpatentable over WO 99/26415 ("*Bar-El*") in view of U.S. Patent Application Publication No. 2003/0133043 to Carr ("*Carr*").

Claims 1-4, 6-12, 14-28, and 30-33 are allowable over *Bar-El* at least because *Bar-El* does not teach or suggest each and every element of independent claims 1, 10, 16, 19, 20, 22, and 26, from which claims 2-4, 6-9, 11-15, 17, 18, 21, 23-25, 27, 28, and 30-33 depend. For example, *Bar-El* does not teach or suggest a data transmission method as recited in amended claim 1 including:

performing an operation by a viewer and outputting an operation signal based on said operation; [and]

performing a first signal processing on said television content data according to software . . . and said operation signal to output first output content data.

Bar-El discloses a "video server 11" that transmits requested video sequences along with video parameters and personalized data to a "user computer 12" (page 7, lines 10-12). An individual "personalization module 62" residing in the "user computer 12" creates personalized videos therefrom (page 17, lines 4-13). "[A] scheduler 42 provides an image selection signal to [a] storage unit 38 which furnishes [a] selected image to [an] image adapter 40. At the same time, the scheduler 42 provides a location signal to the image adapter 40 to indicate onto which section of the surface . . . to implant the selected image" (page 15, lines 1-5). "Image adapter 40 transforms the flat selected image into one with the perspective of the current frame" (page 15, lines 7-9).

“Mixer 44 mixes the adapted image produced by frame adapter 40 with the current frame of the video stream to create one frame (“a personalized frame”) of a personalized video stream” (page 15, lines 22-24). “The user computer 12 also includes a pointing device 16 . . . with which the user can point to objects on the screen” (page 9, lines 1-3). “If the user, once he views the personalized video, indicates the implanted image using pointing device 16, video unit 14 can transmit an indication of this fact, including the name associated with the object, to the video server 11. The video server 11 typically responds to the user’s request and the user identifier 20 (Fig. 2) uses this information to update the user’s profile.” (Page 9, lines 10-14.)

However, *Bar-El* does not teach or suggest “performing a first signal processing on said television content data according to [an] operation signal” based on “an operation by a viewer,” as required by claim 1 (emphasis added). For example, the personalization module (62) of *Bar-El* does not “perform a [] signal processing” on the video sequences that have already been requested “based on” the indication of the implanted image using the pointing device (16), as required by claim 1 (emphasis added). Rather, the indication of the implanted image using the pointing device (16) of *Bar-El* is transmitted to the video server (11) to update the user’s profile for later use.

In addition, *Bar-El* fails to teach or suggest performing both the “first signal processing” and the “second signal processing” recited in claim 1:

performing a first signal processing on said television content data according to software . . . and said operation signal to output first output content data; [and]

performing a second signal processing using said first output content data and said television content data based on said auxiliary data to generate second output content data.

The Examiner appears to rely on the same processing step by the mixer (44) of *Bar-El* as allegedly constituting both the “first signal processing” and the “second signal processing” required by claim 1. For example, in reference to the “first signal processing” recited in claim 1, the Examiner cites, “Figs. 6 and 7, pg. 17, line 3 – pg. 18, line 5, also see pg. 14, line 8 – pg. 16, line 21 and Fig. 4” (Office Action, page 7, paragraph 1). The Examiner states that, in the mixer (44), “television content data in the video stream is processed with the operation signal” (*Id.*).

In reference to the “second signal processing” recited in claim 1, the Examiner cites the same sections of *Bar-El* as he does in reference to the “first signal processing.” The Examiner states, “the mixer 44 can replace the original frame data with the image data . . . and mixer 44 also transmits the name associated with the implanted image and some indication of its location in the frame” (Office Action, page 8, paragraph 1). Thus, the Examiner’s rejection does not point to any teaching or suggestion in *Bar-El* of a “second signal processing” that is distinct from the “first signal processing,” and *Bar-El* does not teach or suggest any such “second signal processing.”

Carr does not make up for these deficiencies of *Bar-El*, and the Examiner does not rely on *Carr* for any teaching or suggestion of the limitations cited above. The Examiner only relies on *Carr* to allegedly teach that receivers may use software stored in a removable recording medium.

Independent claims 10, 16, 19, 20, 22, and 26 are allowable over *Bar-El* and *Carr* for reasons similar to those explained above in relation to claim 1. Thus, because claims 2-3 and 6-9 depend from claim 1; claims 11, 12, 14, and 15 depend from claim 10; claims 17 and 18 depend from claim 16; claim 21 depends from claim 20; claims 23-

25 depend from claim 22; and claims 27, 28, and 30-33 depend from claim 26, claims 1-4, 6-12, 14-28, and 30-33 should be allowed over *Bar-El* and *Carr*.

Applicants also respectfully traverse the rejection of claims 5, 13, and 29 under 35 U.S.C. § 103(a) as unpatentable over *Bar-El* in view of *Carr*, and further in view of U.S. Patent No. 6,425,825 to Sitrick ("*Sitrick*"). Claims 5, 13, and 29 depend from claims 1, 10, and 26, respectively, and *Sitrick* does not make up for the deficiencies of *Bar-El* and *Carr* in relation to claims 1, 10, and 26. The Examiner only relies on *Sitrick* to allegedly disclose "a system and methodology where replacement predefined character images and existing game display functions . . . may be utilized in association with predefined game character and game display functions" (Office Action, paragraph bridging pages 27 and 28). Thus, claims 5, 13, and 29 should be allowed over *Bar-El*, *Carr*, and *Sitrick*.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-20 and 22-33 in condition for allowance. Applicants submit that the proposed amendments of claims 1, 19, 20, and 22 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment

would allow Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: January 3, 2007

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